

*Police-officers and Establishment.*

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32. Saving of rights of Government under section 3, Bombay Act VII of 1863.  
Saving of sections 28 and 24 of Act XXI of 1881.
33. Applicability of the Land-revenue Code to tāluqdār's estates.
34. Limitation of operation of Bombay Act VI of 1862.

BOMBAY ACT No. VI of 1888.

*(The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 25th March, 1889.)*

An Act to provide for the Revenue Administration of Estates held by certain superior landholders in the districts of Ahmedabad, Kaira, Broach and the Pānch Mahāls, and to limit the further operation of Bombay Act VI of 1862<sup>[a]</sup>.

WHEREAS it is expedient to remove doubts as to the applicability of certain portions of the Bombay Land-revenue Code, 1879 <sup>Bom. V of 1879.</sup> <sup>[b]</sup>, to estates held by certain superior landholders in the districts of Ahmedabad, Kaira, Broach and the Pānch Mahāls, and to make special provision for the revenue administration of the said estates and for the partition thereof; It is enacted as follows :—

PART I.

PRELIMINARY.

Short title.

1. (1) This Act may be cited as the Gujarāt Tāluqdārs' Act, 1888.  
(2) It extends only to the districts of Ahmedabad, Kaira, Broach and the Pānch Mahāls.

[<sup>a</sup>] Printed in Vol. II of this Code, p. 8.

[<sup>b</sup>] Printed in Vol. II of this Code, p. 303.

(Part I.—Preliminary. Secs. 2-3. Part II.—Survey and Settlement. Secs. 4-5.)

2. (1) In this Act, unless there be something repugnant in the subject or context,— Definitions.

(a) “tāluqdār” includes a thākūr, mehwassi, kāsbatī and naik :

(b) “registered tāluqdār” means a sole tāluqdār, or the eldest or principal of several co-sharers of a tāluqdārī estate, whose name is authorizedly entered in the Government records as holding such estate, or as the representative of the several co-sharers holding the same :

(c) “jāmā” means land-revenue payable by a tāluqdār to Government ;

(d) “alienation” means a transfer of ownership and “alienee” means a person to whom ownership is transferred :

(e) “incumbrance” includes a mortgage, charge, usufructuary grant and any interest other than that of an ordinary tenant or of an alienee or tāluqdār, and “incumbrancer” means a person in whom an incumbrance vests ;

(f) any word or expression which is defined in the Bombay Land-revenue Code, 1879<sup>[a]</sup>, and is not hereinbefore defined, shall be deemed to have the meaning given to it by that Code.

Expression defined in the Bombay Land-revenue Code.

(2) In Part II, unless there be something repugnant in the subject or context, “tāluqdār” includes any class of holders of unalienated estates, upon which the land-revenue is fixed by a lump assessment, to whom the Governor in Council deems fit from time to time, by notification in the Bombay Government Gazette, to extend the provisions of the said Part.

Meaning of “tāluqdār” in Part II.

3. [Repeal of part of s. 114, Bombay Act V of 1879.] Repealed by Act XVI of 1895. .

## PART II.

### SURVEY AND SETTLEMENT.

#### Revenue Survey.

4. It shall be lawful for the Governor in Council, whenever it may seem expedient, to direct a revenue-survey or a revised revenue-survey of any tāluqdārī estate, under the provisions of the Bombay Land-revenue Code, 1879<sup>[a]</sup>, applicable to such surveys.

Government may direct survey of a tāluqdārī estate.

#### Settlement Register.

5. The Settlement Register prepared by the Survey-officer under section 108 of the said Code on the occasion of making any such survey shall, unless

Settlement register of a tāluq-

[<sup>a</sup>] Printed in Vol. II of the Code, p. 303.

## (Part II.—Survey and Settlement. Sec. 6.)

dār estate  
what to  
contain.

Government otherwise direct, contain, in lieu of the particulars specified in the said section, the following particulars (namely) :—

- (a) the area and assessment of each survey-number ;
- (b) the name of the registered tāluqdār, and, if there are co-sharers, the name of each co-sharer and the extent of each one's interest in the estate ;
- (c) if the estate is undivided,—
  - (i) the manner in which the profits derived from sources common to the co-sharers are to be distributed amongst them ;
  - (ii) the share to be contributed by each co-sharer of the jāmā, of police charges, of the cost of erecting and maintaining boundary-marks, and of any other charge to which under any law for the time being in force the co-sharers are liable in common ;
  - (iii) the manner in which the co-sharers are to collect from the tenants ;
- (d) if a partition of the estate has been effected and the co-sharers hold their respective shares in severalty—
  - (i) the extent and limits of each separate share ;
  - (ii) the same particulars in respect of the several sub-sharers, if any, of each such share, as are required to be given concerning all the co-sharers when an estate is undivided ;
- (e) the name and description and the nature and extent of the interest of every alienee and of every incumbrancer of the estate or any portion thereof, together with a specification of—
  - (i) the aggregate area over which such interest extends ;
  - (ii) the amount and nature of rent, or land-revenue, if any, payable or receivable by each alienee and incumbrancer ;
  - (iii) the basis of such interest, whether grant, contract, custom or other ;
  - (iv) the conditions of service or other conditions on which such interest depends ;
  - (v) any other particulars which Government shall from time to time direct.

*Determination of Disputes.*

Disputes  
concerning  
matters  
which have  
to be record-  
ed under  
section 5 to

6. (1) If it appears to the Survey-officer who frames the said register that there exists any dispute as to any matter which he is bound under this Act to record therein, he may, either on the application of any of the disputant parties, or of his own motion, investigate and determine such dispute and frame the register accordingly :

(Part II.—Survey and Settlement. Secs. 7-9. Part III.—Partition.  
Sec. 10.)

(2) Provided that, when any such dispute shall appear to the Survey-officer to have been already finally decided by a Court of competent jurisdiction, the entry in the said register shall be made in conformity with such decision.

be determined by Survey-officer.

*Custody and Amendment of Records.*

7. (1) When the survey-settlement of a tāluqdārī estate is completed, the said register and the other records thereof shall be kept by the Collector, and every registered tāluqdār shall be entitled to receive one copy of the register free of any charge except the cost of copying.

Settlement-records by whom to be kept; and

(2) So long as the said register and other records are in the charge of the Survey-officer, the said officer, and afterwards the Collector, shall cause to be entered therein all changes that occur, and every thing that affects any of the rights or interests therein recorded; and shall at any time correct or cause to be corrected any clerical error therein and also any other error which all the parties interested admit to have been made in the same.

to be from time to time corrected.

8. (1) No suit shall lie against Government or against any officer of Government to set aside any decision or order of a Survey-officer or of a Collector under section 6 or 7.

Bar of suits against Government, etc. to set aside decisions under section 6 or 7; but effect to be given to decrees obtained by parties *inter se*.

(2) But the said register and other records shall from time to time be amended by the Survey-officer, or, when the survey-settlement is completed, by the Collector, in accordance with any final decree of a Court of competent jurisdiction which the parties may obtain *inter se*, on an application accompanied by a certified copy of such decree, being duly made to the Survey-officer or Collector for that purpose.

(3) In any suit in a Civil Court between the parties or persons claiming under them, a decision or order of a Survey-officer or Collector under section 6 or 7 shall not be held to be conclusive as to any matter therein decided.

9. Every change in the said register and other records shall be communicated without delay by the officer making it to each of the parties affected thereby.

Changes in records to be communicated to parties affected thereby.

PART III.

PARTITION.

10. (1) Every person who has obtained a final decree of a Court of competent jurisdiction declaring him to be entitled to a share of a tāluqdārī

Persons entitled to partition.

## (Part III.—Partition. Secs. 11-15.)

estate and every co-sharer whose name is recorded, as such, in the settlement-register prepared in accordance with section 5 and, pending the preparation of the said register, every person whose title to any such share as aforesaid is not disputed by any other person claiming a share in the same estate, shall be entitled to have his share divided from the rest of the estate and to hold the same as a separate estate.

(2) Any two or more such co-sharers or persons shall be entitled to have their shares divided from the rest of the estate and to hold the same jointly as a separate estate.

11. Applications for partition shall be made to the Tāluqdārī Settlement-officer or to such other officer as the Governor in Council appoints in this behalf.

12. (1) The Tāluqdārī Settlement-officer, or other officer aforesaid, on receiving an application for partition, shall, if the application be not open to objection on the face of it, publish a notification of the same in the office of the Māmlatdār of the tāluqā and at some conspicuous place in the village in which the estate to which the application relates is situate or in each of the villages comprised in the said estate, as the case may be.

(2) He shall also serve a notice on each of the known co-sharers who has not joined in the application, requiring any of them who objects to the partition to appear before him to state his objection either in person or by a duly authorized agent, on a day to be specified in the notice, not less than thirty or more than sixty days from the date on which such notice is issued.

13. Where, from any cause, notice cannot be personally served on any co-sharer, the Tāluqdārī Settlement-officer or other officer aforesaid shall order the same to be served by affixing a copy thereof upon some conspicuous part of the house, if any, in which such co-sharer is known to have last resided, or in such other manner as the Tāluqdārī Settlement-officer or other officer aforesaid thinks fit.

14. If, on or before the day specified, any objection is made to the partition by any sharer, and the Tāluqdārī Settlement-officer or other officer aforesaid, on a consideration of such objection, is of opinion that there is any good and sufficient reason why the partition should be disallowed, he may refuse the application, recording the grounds of his refusal.

15. (1) If the objection raises any question as to the right of the applicant to partition or any other question of title which has not been already determined by a Court of competent jurisdiction, the Tāluqdārī Settlement-officer or other officer aforesaid may either decline to grant the application

Applica-  
tions for  
partition to  
whom to be  
made.

Notification  
of applica-  
tion.

Notice to  
co-sharers  
not joining  
in the appli-  
cation.

Procedure  
where  
notice can-  
not be per-  
sonally  
served on  
co-sharer.

Power to  
refuse par-  
tition when  
objection is  
admitted.

Procedure  
if question  
of title is  
raised.

until the question in dispute has been determined by a competent Court, or, if no suit is at the time pending in any such Court in which the question is likely to be determined, may proceed to inquire into the merits of the objection.

(2) In the latter case, the Tāluqdārī Settlement-officer or other officer aforesaid, after making the necessary inquiry and taking such evidence as may be adduced, shall pass a decision declaring the nature and extent of the interests of the party or parties applying for the partition and of the other co-sharers of the estate, if any, and directing by whom and in what proportion the costs of the inquiry and of the partition (which shall be recoverable as an arrear of land-revenue) are to be paid.

Decision when and how to be made by Tāluqdārī Settlement-officer or officer appointed by Government.

XIV of 1882.

(3) The procedure to be observed by the Tāluqdārī Settlement-officer or other officer aforesaid in any such inquiry shall be that laid down by the Code of Civil Procedure, 1882[\*], for the trial of original suits, and the provisions of Chapter XLVII of that Code, in so far as they apply to a review of judgment in an original suit, shall be applicable to the decision of the Tāluqdārī Settlement-officer or other officer aforesaid. The Tāluqdārī Settlement-officer or other officer aforesaid may, with the consent of the parties, refer any question arising in such inquiry to arbitration, and the provisions of the same Code relative to arbitrators shall apply to such references.

Procedure previous to decision.

16. (1) An appeal shall lie from any decision, or from any part of a decision, passed under the last preceding section by the Tāluqdārī Settlement-officer or other officer aforesaid, to the District Court, as if such decision were a decree of a Court from whose decisions the District Court is authorized to hear appeals.

District Court may hear appeal from Tāluqdārī Settlement-officer's or other officer's decision,

(2) Upon such appeal being made, the District Court may issue a precept to the Tāluqdārī Settlement-officer or other officer aforesaid, requiring him to stay the partition pending the decision of the appeal.

and may stay partition.

17. (1) When it has been decided to make a partition, the Tāluqdārī Settlement-officer or other officer aforesaid shall give the parties the option of making the partition themselves; in the event of their not agreeing or of their failing to make the partition, within a period prescribed by the Tāluqdārī Settlement-officer or the officer aforesaid in this behalf, the Tāluqdārī Settlement-officer or other officer aforesaid shall either make it himself or, if he thinks fit, shall entrust it to arbitrators appointed for this purpose by the parties.

Partition how to be effected.

[\*] For Act XIV of 1882 see the revised edition, as modified up to 1st July, 1898, published by the Legislative Department.

## (Part III.—Partition. Secs. 18-20.)

(2) In making the partition, the Tálúqdári Settlement-officer or other officer aforesaid and any person acting under his orders shall have the same powers to enter on the estate under partition, for marking out the boundaries, surveying the land and other purposes as are conferred on Survey-officers by the Bombay Land-revenue Code, 1879<sup>[a]</sup>.

Bom. V  
of 1879.

When partition is complete, order to be made confirming it. Notification of order.

18. (1) When a partition is completed the Tálúqdári Settlement-officer or other officer aforesaid shall make an order confirming it.

Partition when to take effect.

(2) On making such order the Tálúqdári Settlement-officer or other officer aforesaid shall publish a notification of the fact in the office of the Mámldár of the tálúqá and at some conspicuous place in the village in which the estate which has been divided is situate, or in each of the villages comprised in the said estate, as the case may be; and the partition shall take effect on and from the first day of June next after the date of such notification, or such other date next after the date of such notification between the first day of June and the first day of October as the Tálúqdári Settlement-officer or other officer aforesaid, having regard to the usual season of cultivation in the said estate, shall fix in this behalf.

Delivery of possession.

19. (1) If necessary, the Tálúqdári Settlement-officer or other officer aforesaid may, at any time after the date aforesaid, order delivery of the share, or any portion of the share, allotted to any co-sharer to be made to him in the manner in which delivery of the same might be ordered by a Civil Court, under the Code of Civil Procedure, 1882<sup>[b]</sup>, in execution of a decree.

XIV of 1882.

Resistance or obstruction how to be dealt with.

(2) If, in executing the order of the Tálúqdári Settlement-officer or other officer aforesaid, the officer charged with the execution thereof is resisted or obstructed by any person, or if a co-sharer is resisted or obstructed in obtaining possession of the share or of any portion of the share allotted to him, the Tálúqdári Settlement-officer or other officer aforesaid shall proceed in the manner in which, by section 202 of the Bombay Land-revenue Code, 1879<sup>[a]</sup>, a Collector is authorized to proceed for the purpose of inquiring into the reasonableness of any resistance or obstruction to the execution of an order made under that section and of preventing the continuance thereof.

Bom. V  
of 1879.

Appeals against order confirming partition to the Commissioner.

20. An appeal against the decision of the Tálúqdári Settlement-officer or other officer aforesaid confirming a partition shall lie to the Commissioner within one year from the date of the order confirming such partition.

[<sup>a</sup>] Printed in Vol. II of this Code, p. 303.

[<sup>b</sup>] For Act XIV of 1882 see the revised edition, as modified up to 1st July, 1888, published by the Legislative Department.

(Part III.—Partition. Sec. 21. Part IV.—Revenue Administration.  
Secs. 22-24.)

21. No Civil Court shall entertain any suit or application for partition of a tāluqdārī estate: Provided that nothing in this section shall be deemed to affect the jurisdiction of Her Majesty's High Court of Judicature at Bombay.

Civil Courts barred from entertaining suits or applications for partition.

#### PART IV.

##### REVENUE ADMINISTRATION.

##### *The Tāluqdār's Jāmā.*

22. (1) If a tāluqdār's estate, or any portion thereof, is not wholly or partially exempt from land-revenue and its liability to payment of land-revenue is not subject to special conditions or restrictions, the jāmā payable to Government in respect of such estate or portion thereof shall, if a survey-settlement has been extended thereto, be the aggregate of the survey-assessments of the lands composing such estate or such portion thereof, minus such deduction, if any, as Government shall in each case direct.

Tāluqdār's jāmā how to be calculated.

(2) The Governor in Council may declare the amount of jāmā so ascertained fixed for any term not exceeding thirty years.

23. (1) Nothing in this Act shall be deemed to affect the validity of any agreement heretofore entered into by or with a tāluqdār and still in force as to the amount of his jāmā, nor of any settlement of the amount of jāmā made by or under the orders of Government for a term of years and still in force.

Saving of existing agreements and settlements as to amount of jāmā.

(2) Every such agreement and settlement shall have effect as if this Act had not been passed.

24. (1) The registered tāluqdār shall be primarily responsible to Government for the jāmā of his village, and, if there are sharers, all the co-sharers shall be jointly and severally responsible therefor.

Responsibility for jāmā.

(2) If the registered tāluqdār fails to pay the jāmā according to the rules legally prescribed in that behalf, it may be recovered from his co-sharers, if any, or to the extent to which it is due in respect of the holding of any mortgagee in possession, inferior holder or person in actual occupation of the estate or of any portion thereof, from such mortgagee in possession, inferior holder or person.

Liability of other persons if tāluqdār makes default.

(3) When jāmā is recovered from any such co-sharer, mortgagee in possession, inferior holder or other person, he shall be allowed credit for all payments which he may have made to the tāluqdār at or after the prescribed or usual times of such payments, and he shall be entitled to credit in account with the tāluqdār for the amount recovered from him.

Credit to be allowed for recoveries made from other persons.



*(Part IV.—Revenue Administration. Secs. 25-28.)*

Distribn-  
tion of jāmā  
in case of  
partition.

25. (1) When a partition has taken place and a taluqdārī estate is held in severalty, the jāmā payable in respect of each separate portion into which the same has been divided shall be determined by the Collector, and thereupon each such portion shall for the purposes of the last preceding section be deemed to be a distinct estate :

(2) Provided that the aggregate jāmā payable in respect of the several portions into which the estate has been divided shall not exceed the jāmā which would be leviable from the entire estate if still undivided.

*Management of Taluqdars' Estates by Government Officers.*

Manage-  
ment of  
taluqdārī  
estate may  
be assumed  
by Collec-  
tor in cer-  
tain contin-  
gencies.

26. (1) If owing to disputes among the sharers in any taluqdārī estate, or for other cause, the Governor in Council shall deem that there is reason to apprehend danger to the peace of the country or injury to the well-being of the inferior holders, he may direct the Collector to cause such estate to be attached and taken under the management of himself or any agent whom he appoints for this purpose ; and, on the application of any registered taluqdār or co-sharer, the Collector shall furnish him with a copy of the reasons on which the orders of Government were passed.

(2) When any estate is so attached and taken under management, the sharers, or any one or more of the sharers therein, may at any time apply to the District Magistrate to restore the management thereof ; and, if the applicants shall prove to the satisfaction of the District Magistrate that no reason for any such apprehension as aforesaid any longer exists, the District Magistrate may order restoration of the management to the made to the taluqdār.

Power to  
take up  
manage-  
ment of  
estate  
pending  
partition.

27. (1) With the sanction of the Commissioner, the Taluqdārī Settlement-officer or other officer appointed by Government may hold the estate in which partition is being effected under his own management, pending the completion of the partition :

(2) Provided that, before applying to the Commissioner for sanction under this section, the Taluqdārī Settlement-officer or other officer aforesaid shall give to the parties reasonable notice of his intention so to do, and shall forward, with his application, for the Commissioner's consideration, any written statement of objection thereto which any of the parties shall present to him for this purpose.

Power to  
take up  
manage-  
ment of

28. With the sanction of Government, the Taluqdārī Settlement-officer or any other officer appointed by Government for this purpose may, upon the written application of a taluqdār in this behalf, take charge of such taluqdār's

## (Part IV.—Revenue Administration. Secs. 29-50.)

estate and keep the same under his management for such period as may be agreed upon between the tāluqdār and the Tāluqdārī Settlement-officer or other officer aforesaid : Provided that no such application shall be entertained in respect of an undivided share of a tāluqdārī estate nor, except with the consent of all the co-sharers, in respect of an estate which is held by co-sharers.

estate at  
tāluqdār's  
request.

Bom. V of  
1879.

29. (1) When any tāluqdārī estate is taken under management by Government officers under any of the three last preceding sections, the provisions of section 160 of the Bombay Land-revenue Code, 1879 [a], shall be applicable thereto :

Applicabil-  
ity of sec-  
tion 160 of  
Bombay  
Act V of  
1879 when  
an estate  
is taken  
under man-  
agement  
by a Gov-  
ernment  
officer.

(2) Provided that no sale of occupancy-rights or agreement entered into by a Government officer managing an estate under section 26, in respect of any land in such estate, shall be for a period exceeding five years from the date thereof, and that no such sale of occupancy-rights or agreement by a Government officer managing an estate under section 27 shall have effect beyond the end of the revenue-year in which such officer's management determines, unless the same is ratified by the co-sharer to whose share the said land is finally allotted when the partition of the estate is completed.

(3) All surplus receipts, if any, which accrue during such management, after defraying the costs of the management, including the payment of the current land-revenue and of all arrears thereof, and the cost of the extension to the estate of a revenue-survey, if the Governor in Council directs, or has before directed, the extension of a revenue-survey thereto under section 4, shall be divided amongst the co-sharers in proportion to their respective shares, at such periods as the Tāluqdārī Settlement-officer or other officer aforesaid shall see fit.

Disposal of  
surplus  
receipts.

*Police-officers and Establishment.*

30. (1) The Governor in Council may from time to time determine —

- (a) what Police-officers and establishment are requisite in each village in a tāluqdārī estate ;
- (b) by whom and under what conditions the Police-officers and establishment shall be appointed, punished and dismissed ;
- (c) what remuneration shall be paid to each Police-officer and member of the police-establishment.

Govern-  
ment to fix  
the number  
and remun-  
eration of  
police.

(2) Charges on account of police shall be defrayed by the tāluqdār at such times as shall from time to time be determined by Government, and in

Police-char-  
ges how  
recoverable.

[a] Printed in Vol. II of this Code, p. 303.

## (Part V.—Miscellaneous. Secs. 31-32)

the event of failure by the tálúqdár to pay, at the time when the same becomes due, any sum so payable, the said sum shall be recoverable from him, in addition to the jámá, as if the same were a part of the jámá.

(3) If a partition has taken place and the estate is held in severalty, the said charges shall be payable by and recoverable from the holders of the various portions into which the estate has been divided in proportion to their respective shares in the estate.

## PART V.

## MISCELLANEOUS.

31. (1) No incumbrance on a tálúqdár's estate, or on any portion thereof, made by the tálúqdár after this Act comes into force, shall be valid as to any time beyond such tálúqdár's natural life, unless such incumbrance is made with the previous written consent of the Tálúqdári Settlement-officer, or of some other officer appointed by the Governor in Council in this behalf.

(2) No alienation of a tálúqdár's estate or of any portion thereof, or of any share or interest therein, made after this Act comes into force, shall be valid, unless such alienation is made with the previous sanction of the Governor in Council, which sanction shall not be given except upon the condition that the entire responsibility for the portion of the jámá and of the village expenses and police-charges due in respect of the alienated area shall thenceforward vest in the alienee and not in the tálúqdár.

32. (1) No consent or sanction given under the last preceding section shall be deemed to affect any right of Government under section 3 of Bombay Act VII of 1863 [<sup>a</sup>] (*an Act for the Summary Settlement of claims to exemption from the payment of Government land-revenue, and for regulating the terms upon which such exemption shall be recognized in future, in those parts of the Bombay Presidency which are not subject to the operation of Act XI of 1852 of the Council of India*).

(2) And nothing in the last preceding section shall apply to the property of any thákur to which section 28 of the Broach and Kaira Encumbered Estates Act, 1881 [<sup>b</sup>], is applicable, or be deemed to affect the power of

XXI of 1881.

[<sup>a</sup>] Printed in Vol. II of this Code, p. 65.[<sup>b</sup>] Printed in Vol. I of this Code, p. 220.

Bar of incumbrances on a tálúqdár's estates beyond tálúqdár's own life, except with consent of the Tálúqdári Settlement-officer ;

and of all alienations, except with consent of Governor in Council.

Saving of rights of Government under section 3, Bombay Act VII of 1863.

Saving of sections 28 and 24 of Act XXI of 1881.

the manager of any thākūr's immoveable property under section 24 of the said Act.

33. (1) Nothing in sections 38 to 40, both inclusive, 44, 60 to 67, both inclusive, 76, 82, 85, 109, 110, 116, 127 to 136, both inclusive, 163, 216 and 217 of the Bombay Land-revenue Code, 1879 [\*], shall be deemed to apply to any estate to which this Act extends.

Applicability of the Land-revenue Code to tāluqdārs' estates.

Bom. V  
of 1879.

(2) The provisions of the said Code when applied to any such estate shall be subject to the following modifications (namely):—

- (a) in section 3, clause (1), the words “the Tāluqdārī Settlement-officer and every officer appointed by the Governor in Council to exercise any power or perform any duty under the Gujarāt Tāluqdārs Act, 1888, and” shall be inserted after the word “means”;
- (b) in section 54, the words “or under the Gujarāt Tāluqdārs Act, 1888,” shall be inserted after the figures “136”;
- (c) in sections 46, 88, 89 and 94, the word “tāluqdār” shall be substituted for the words “holder of alienated lands” and the word “holder” wherever they occur;
- (d) in section 88, the clauses (e) to (f) and the proviso shall be omitted;
- (e) for section 111 the following section shall be deemed to be substituted, viz.:—

¶ 111. In the event of any tāluqdār's estate coming under the temporary management of Government officers, it shall be lawful for the Collector, Tāluqdārī Settlement-officer, or other officer appointed by Government in this behalf, subject, in any case to which it applies, to the proviso to section 29 of the Gujarāt Tāluqdārs Act, 1888, to let out the lands thereof at rates determined by means of a survey settlement or at such other fixed rates as he may deem to be reasonable, and to sell the occupancy of unoccupied lands by auction, and otherwise to conduct the revenue management thereof under the rules for the management of unalienated lands not comprised within a tāluqdār's estate, so far as such rules may be applicable and for so long as the said estate shall be under the management of Government officers:

Revenue management of tāluqdār's estates which may be temporarily under Government management.

Provided, however, that any written agreements relating to the land made by the tāluqdār of such estate shall not be affected by any proceedings under this section in so far as they shall not operate to the detriment of the lawful claims of Government on the land; and provided also that, when the estate ceases to be under the management of Government officers, the possession and enjoyment thereof shall, except as is otherwise provided in section 29 of the Gujarati Tāluqdārs Act, 1888, revert to the tāluqdār, subject to the leases and occupancy-rights, if any, granted under this section";

(f) in section 113, clause (3) shall be omitted;

(g) in section 147, the words "or under the Gujarati Tāluqdārs Act, 1888," shall be inserted after the word "section";

(h) in section 150, clause (f); the word "alienated" shall be omitted;

(j) in section 160, the word "be" shall be substituted for the words "revert to Government";

(k) in section 162, the words "at any time within twelve years from the first day of August next after the attachment" shall be omitted;

(l) in section 214, clause (f) shall be omitted;

(m) generally, the word "tāluqdār" shall be substituted for the word "occupant"; the words "registered tāluqdār" for the words "registered occupant"; and the words "tāluqdār's holding," or such words to that effect as may be required by the context, for the word "occupancy".

And whereas it is also expedient to limit the period within which fresh estates may be subjected to the operation of Bombay Act VI of 1862 [<sup>a</sup>] (*an Act for the amelioration of the condition of Tāluqdārs in the Ahmedabad Collectorate and for their relief from debt*); It is further enacted as follows:—

34. No new declaration shall be made under section 1 of the said Bombay Act VI of 1862 [<sup>a</sup>] at any time after six months from the date on which this Act comes into force.

Limitation  
of operation  
of Bombay  
Act VI of  
1862.

[<sup>a</sup>] Printed in Vol. II of this Code, p. 8.